

**ENTERED**

March 13, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ARTURO HERIBERTO ORTIZ,  
(TDCJ #1779842)  
Plaintiff,

V.

TDCJ, et al.,  
Defendants.

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CIVIL ACTION NO. H-18-1262

**MEMORANDUM ON DISMISSAL**

The plaintiff, Arturo Heriberto Ortiz, has not responded to this Court's order entered January 25, 2019, which required him to submit by February 27, 2019 a more definite statement of the facts on which his complaint is based. (Docket Entry No. 11). The Court's order specifically provided that failure to comply as directed may result in the dismissal of this action for want of prosecution. With regard to this Court's Order for More Definite Statement, the Court must have clear answers to each of its questions before it can evaluate the merits of Ortiz's claims.

Ortiz's failure to comply with this Court's order forces this Court to conclude that he lacks due diligence. Under the inherent powers necessarily vested in a court to manage its own affairs, this Court determines that dismissal for want of prosecution is appropriate. *See* Fed. R. Civ. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995); 8 James Wm. Moore, et al., *Moore's Federal Practice* § 41.51(3)(b) & (e) (3d ed. 2017). Upon a proper showing, relief from this order may be granted in accordance with Fed. R. Civ. P. 60(b). *See Link*, 370 U.S. at 635.

This action is DISMISSED without prejudice for want of prosecution.

SIGNED at Houston, Texas, on MAR 13 2019.

A handwritten signature in black ink, appearing to read 'AMB', is written over a horizontal line.

ALFRED H. BENNETT  
UNITED STATES DISTRICT JUDGE